

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

NAPOLEON HOLYFIELD, *et al.*,

Plaintiffs,

v.

RAYMOND GONZAEZ, *et al.*,

Defendants.

Case No. 3:23-cv-00431-MMD-CSD

ORDER

Pro se Plaintiff Napoleon Holyfield attempted to file a lawsuit regarding a pit bull named Kareem on behalf of himself and two other putative plaintiffs against several individuals and agencies involved in animal control. (ECF No. 1-1.) Before the Court is United States Magistrate Judge Craig S. Denney's Report and Recommendation (ECF No. 5 ("R&R")), recommending that the Court dismiss this case without prejudice because Holyfield did not comply with Judge Denney's prior order to update the contact information he provided and have each putative plaintiff file an application to proceed *in forma pauperis*. Objections to the R&R were due January 23, 2024. (*See id.*) To date, no objections to the R&R have been filed. For this reason, because the Court agrees with Judge Denney's analysis in the R&R, and as further explained below, the Court adopts the R&R in full.

Because there was no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Denney did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) ("De novo review of the magistrate judges' findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.") (emphasis in original). Judge Denney recommends dismissing this action without prejudice because Holyfield did not timely comply with his

1 prior order to have each putative plaintiff file an application to proceed *in forma pauperis*
2 and provide their addresses. (ECF No. 5.) Judge Denney did not clearly err.

3 It is therefore ordered that the Report and Recommendation of United States
4 Magistrate Judge Craig S. Denney (ECF No. 5) is accepted and adopted in full.

5 It is further ordered that this case is dismissed, in its entirety, without prejudice.

6 The Clerk of Court is directed to enter judgment accordingly and close this case.

7 DATED THIS 30th Day of January 2024.

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MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE